



# PLANNING COMMISSION AGENDA

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LEE BRAND, Chair

Commission Members  
CHARLES VANG, Vice Chair  
LORI CHERRY  
NAT DIBUDUO  
HAL KISSLER  
ROJELIO VASQUEZ

Planning and Development  
Director/Secretary  
NICK P. YOVINO

Deputy City Attorney  
KATHRYN C. PHELAN

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*The Planning Commission welcomes you to this meeting.*

December 15, 2004

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

I. **ROLL CALL**

II. **PLEDGE OF ALLEGIANCE**

III. **PROCEDURES**

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

**IV. AGENDA APPROVAL**

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

**V. CONSENT CALENDAR**

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

**A. Minutes**

**B. Communications**

- 1. Notice of approval by the Planning and Development Department Director, in accordance with Section 12-1005.2 of the Fresno Municipal Code, of a Revised Tentative Map of Tract No. 5078, a 209-lot single family residential subdivision.

**C. Entitlements**

**VI. REPORTS BY COMMISSIONERS**

**VII. CONTINUED MATTERS**

**VIII. NEW MATTERS**

- A. Consideration of Vesting Tentative Tract Map No. 5342 and proposed conversion of the “Emerald Estates” apartment complex to a condominium project filed by United Development Group, Inc., for development of 4.54 acres of R-3 (*Medium Density Multiple Family Residential*) zoned property located on the west side of South First Street between East Platt Avenue and East Tulare Street.
1. Environmental Assessment No. T-5342, determination of a Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
  2. Vesting Tentative Tract Map No. 5342, a one-common lot subdivision for conversion to a condominium project.
    - Roosevelt Community Plan Area
    - Council District 3 (Councilmember Sterling)
    - Staff Member: Paul Bernal
    - Staff Recommendation: Recommend Approval
    - Will be considered by City Council
- B. Consideration of Rezone Application No. R-04-57, Vesting Tentative Tract Map No. 5374/UGM, and environmental findings, filed by Ingles-Braun and Associates, on behalf of Landcastle Real Estate, pertaining to approximately 20 acres of property located at the southeast corner of South Peach and East Grove Avenues.
1. Environmental Assessment No. R-04-57, T-5374, determination of Initial Study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-04-57, proposes to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district for the entire 20-acre project site.
  3. Vesting Tentative Tract Map No. 5374/UGM, proposes to subdivide the project site into a 93-lot single family residential subdivision.
    - Roosevelt Community Plan Area
    - Council District 5 (Councilmember Dages)
    - Staff Member: Dawn Marple
    - Staff Recommendation: Recommend Approval of rezone application; approve vesting tentative tract map
    - Will be considered by City Council (rezone application only)

**VIII. NEW MATTERS Continued**

- C. Consideration of Rezone Application No. R-04-31 and environmental findings, filed by Gary Giannetta, on behalf of McCaffrey Group, Inc., pertaining to approximately 222 acres of property, located on the south side of the West Gettysburg Avenue alignment between North Grantland and North Hayes Avenues.
1. Environmental Assessment No. R-04-31, determination of Initial Study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-04-31, proposes to rezone the subject properties from RR (*County - Rural Residential*) zone district and AE-20 (*County - Twenty Acre Agricultural*) zone districts to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district for 202 acres; the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district for 10 acres; and the C-1/UGM (*Neighborhood Shopping Center/Urban Growth Management*) zone district for 10 acres. Within the R-1/UGM zone district, 159 acres are proposed to be developed as educational facilities for the Central Unified School District.
    - West Area Community Plan
    - Council District 2 (Councilmember Calhoun)
    - Staff Member: Kevin Fabino
    - Staff Recommendation: Recommend Approval
    - Will be considered by City Council
- D. Consideration of Rezone Application No. R-04-51, Conditional Use Permit Application No. C-04-163, Vesting Tentative Tract Map No. 5325/UGM, and environmental findings, filed by Yamabe and Horn Engineering, on behalf of Century Developers, LLC, for 8.8 acres located on the southeast corner of North Polk and West Gettysburg Avenues.
1. Environmental Assessment No. R-04-51, C-04-163, T-5325, determination of Initial Study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-04-51, proposes to rezone the subject site from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
  3. Conditional Use Permit Application No. C-04-163, proposes a 44-unit planned development with public streets.
  4. Vesting Tentative Tract Map No. 5325/UGM, proposes to subdivide the project site into a 44-lot single family residential subdivision.
    - West Area Community Plan
    - Council District 2 (Councilmember Calhoun)
    - Staff Member: Kevin Fabino
    - Staff Recommendation: Recommend Approval of rezone application; Approve vesting tentative tract map and conditional use permit
    - Will be considered by City Council (rezone application only)

**IX. REPORT FROM SECRETARY**

- A. Approval of the 2005 Planning Commission meeting schedule.

**X. UNSCHEDULED ORAL COMMUNICATIONS**

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

**XI. ADJOURNMENT**